

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY sf D.C.
05 JUL 25 PM 1:53

THOMAS M. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN, JACKSON

CHERYL A. MARTIN,

Plaintiff,

v.

JOHN E. POTTER, Postmaster General
UNITED STATES POSTAL SERVICE
and MAXINE NIXON

Defendant.

NO. 1:05-1105-T/An

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): August 12, 2005

JOINING PARTIES:

for Plaintiff: September 29, 2005
for Defendant: September 29, 2005

AMENDING PLEADINGS:

for Plaintiff: September 29, 2005
for Defendant: September 29, 2005

COMPLETING ALL DISCOVERY:

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and
REQUESTS FOR ADMISSIONS:** March 28, 2006

(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

- (i) Plaintiff's Experts: January 27, 2006
- (ii) Defendant's Experts: February 28, 2006
- (iii) Supplementation under Rule 26(e): 10 days after Defendant's disclosure

(c) **DEPOSITIONS OF EXPERTS:** March 28, 2006

FILING DISPOSITIVE MOTIONS: March 20, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: April 25, 2006
- (b) for Defendant: May 10, 2006

Parties shall have ten (10) days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last four (4) days and is **SET for JURY TRIAL on June 19, 2006**. A joint pre-trial order is due on **Friday, June 9, 2006**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

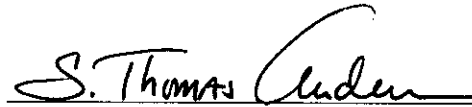
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

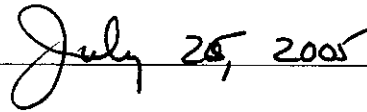
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



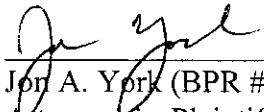
S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: _____



APPROVED FOR ENTRY:

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Terrell L. Harris
United States Attorney

By: Harriett Halmon with permission
Harriett Miller Halmon *Jon York*
Assistant U. S. Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 1:05-CV-01105 was distributed by fax, mail, or direct printing on July 26, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT